

R E M A R K S

The application has been amended so as to place it in condition for allowance at the time of the next Official Action.

The abstract has been amended to correct formal matters.

The Official Action indicated that "a new oath appears necessary" since pages 7, 15 and 16 of the specification contained non-initialed changes. FORM PCT/DO/EO/903 mailed February 23, 2000 indicated that the declaration filed February 3, 2000 and the preliminary amendment filed November 30, 1999 including amended pages 7, 15 and 16 of the specification were accepted.

Claims 18-40 are present in the application.

Claims 18-23 are withdrawn from further consideration as being drawn to an invention non-elected with traverse.

Claims 1-17 have been cancelled and rewritten as new claims 24-40. Claim 24 incorporates the subject matters of claims 1 and 2. Claims 25-29 correspond to original claims 3-17 respectively. Claim 40 incorporates the preferred range of claim 4.

Claims 1-17 were rejected under 35 USC §112, second paragraph, as being indefinite.

New claims 24-40 have been drafted to avoid the bases for rejection of claims 1-17 under 35 USC §112, second paragraph, as set forth in the Official Action.

Claims 1-17 were rejected under 35 USC §103(a) as being unpatentable over AVARBZ et al. 5,876,787. Applicants respectfully traverse this rejection as applied to new claims 24-40.

Independent claim 24 incorporates the subject matters of claims 1 and 2. Reciting the element of the carbide in claim 24 eliminates potential carbides having more than one carbon atom and the relationship recited in claim 24 will only generate positive numbers.

The Official Action indicated that "choosing the claimed carbide is an obvious expedient to make a carbon having good electrode properties". Applicants respectfully disagree. The purpose of the claimed inventive method is to produce a porous carbon article which can be used in different fields of technology connected with adsorption and absorption processes. The articles produced by the claimed inventive method are not restricted to electrodes. Page 2, lines 23-28; page 10, lines 14-17; and page 20, lines 2-6 of the specification describe different fields of technology in which porous carbon articles produced by the claimed inventive method can be used. By employing carbide particles having physical and chemical constants according to the relationship recited in claim 24, the

claimed inventive process is able to produce a "porous carbon article having nanopores of a size less than 10 nm and a predetermined volume and a predetermined distribution of the nanopores dependent on the intended use of the article". AVARBZ et al. have absolutely no teaching or hint about the relationship cited in claim 24. By the claimed inventive method, the pore structure of the article can be predetermined to fit the intended use of the article whereas there is no teaching at all in AVARBZ et al. of how the sizes of the nanopores of an article can be predetermined.

In view of the above amendments and remarks, Applicants submit that claim 24 and dependent claims 25-40 are patentable over AVARBZ et al.

In light of the amendments discussed above, Applicants believe that the present application is in condition for allowance and an early indication of the same is respectfully requested.

If the Examiner has any questions or requires further clarification of any of the above points, the Examiner may

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contact the undersigned Agent so that this application may
continue to be expeditiously advanced.

Respectfully submitted,

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